

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ESER DENIZCILIK VE TICARET LTD., STI, :

Plaintiff, :

- against - :

MED-ASIA SHIPPING LTD., :

Defendant. :
-----X

08 CV 6166
ECF CASE

USDC SDNY
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ELECTRONICALLY FILED
DOC #:
DATE FILED: 07 10 08

**ORDER APPOINTING SPECIAL PROCESS
SERVER PURSUANT TO F.R.C.P. RULE 4(C)**

Upon motion of the Plaintiff for an Order appointing Thomas L. Tisdale, Claurisse A. Campanale-Orozco, Lauren C. Davies or any other partner, associate, paralegal or other agent of TISDALE LAW OFFICES, LLC to serve the Verified Complaint, Process of Maritime Attachment and Garnishment, Interrogatories or other process in this action, and

Upon reading the Affidavit of Lauren C. Davies, sworn to July 7, 2008, and good cause having been shown,

IT IS ORDERED that Thomas L. Tisdale, Claurisse A. Campanale-Orozco, Lauren C. Davies or any other partner, associate, paralegal or other agent of TISDALE LAW OFFICES, LLC be and is hereby appointed to serve the Verified Complaint, Process of Maritime Attachment and Garnishment, Interrogatories and other process upon Defendants herein and upon the garnishee(s) listed in the Order, together with any other garnishee(s) who, based upon information developed subsequent hereto by Plaintiff, may hold assets for or on account of the Defendants; and,

IT IS FURTHER ORDERED that in order to avoid the need to repetitively serve the garnishee(s) / banking institutions continuously throughout the day, any cop of the Process of

Maritime Attachment and Garnishment that is served on any of the garnishees herein is deemed effective and continuous throughout any given day.

Dated: July 8, 2008

SO ORDERED,

John F. Keenan
United States District Judge

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EX PARTE ORDER FOR PROCESS OF MARITIME ATTACHMENT

WHEREAS, on July 7, 2008 Plaintiff, ESER DENIZCILIK VE TICARET LTD., STI filed a Verified Complaint herein for damages against the Defendant, MED-ASIA SHIPPING LTD. amounting to **\$365,975.65** and praying for the issuance of Process of Maritime Attachment and Garnishment pursuant to Rule B of the Supplemental Admiralty Rules for Certain Admiralty and Maritime Claims of the Federal Rules and Civil Procedure; and

WHEREAS, the Process of Maritime Attachment and Garnishment would command that the United States Marshal or other designated process server attach any and all of the Defendants' property within the District of this Court; and

WHEREAS, the Court has reviewed the Verified Complaint and the Supporting Affidavit, and the conditions of Supplemental Admiralty Rule B appearing to exist;

NOW, upon motion of the Plaintiff, it is hereby:

ORDERED, that Pursuant to Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims, the Clerk of the Court shall issue Process of Maritime Attachment and Garnishment against all tangible or intangible property, credits, letters of credit, bills of lading, effects, debts and monies, electronic funds transfers, freights, sub-freights, charter hire, sub-

charter hire or any other funds or property up to the amount of \$365,975.65 belonging to, due or being transferred to, from or for the benefit of the Defendants, including but not limited to such property as may be held, received or transferred in Defendants' name or as may be held, received or transferred for its benefit at, moving through, or within the possession, custody or control of banking/financial institutions and/or other institutions or such other garnishee(s) to be named on whom a copy of the Process of Maritime Attachment and Garnishment may be served; and it is further

ORDERED that supplemental process enforcing the Court's Order may be issued by the Clerk upon application without further order of the Court; and it is further

ORDERED that following initial service by the U.S. Marshal or other designated process server upon each garnishee, that supplemental service of the Process of Maritime Attachment and Garnishment, as well as this Order, may be made by facsimile transmission or other verifiable electronic means, including e-mail, to each garnishee; and it is further

ORDERED that service on any garnishee as described above is deemed effective continuous service throughout the day from the time of such service through the opening of the garnishee's business the next business day; and it is further

ORDERED that pursuant to Federal Rule of Civil Procedure 5(b)(2)(D) each garnishee may consent, in writing, to accept service by any other means; and it is further

Dated: July 8, 2008

SO ORDERED:

John F. Kennedy
U. S. D. J.